

AEU Submission on Inquiry into the implementation, performance and governance of the National Disability Insurance Scheme in the ACT' April 2018

The Australian Education Union ACT Branch (AEU) has reviewed the terms of reference regarding the Inquiry into the implementation of the NDIS. The AEU in this submission will not discuss the merit of the NDIS system.

The AEU in this submission will comment on the process of implementation and required resourcing schools must provide to ensure effective outcomes for students and families. In particular the AEU will focus on the experiences of the Learning Support Units (LSU) and specialist schools in the ACT operating within the NDIS framework, due to the complex needs of the students and families who utilise such schools.

The AEU acknowledges the need for a system to provide support to the disability community and for this support to be funded by government to provide the best possible outcomes available. There is also an understanding that there needs to be efficient and timely communication and coordination between stakeholders working within the disability services. It is essential, for example, for the students, families and schools to organise a service for the transportation of students to and from the school in a way that is suitable to their needs.

This complex intersection of stakeholders, needs and requirements in the disability sector results in a need to have clear implementation guidelines and processes in place to reduce the areas of gaps in service which potentially leads to stress of students, families and teachers navigating the NDIS system.

1. Background

The AEU acknowledges that the ACT Government has through the directorates attempted to provide fact sheets and guidance to assist in the transition to NDIS. A national system for disability support will always require a certain level of review and implementation. It is the position of the AEU that teacher's workload is an issue of WHS and commends the ACT Government and the ACT Education and Training Directorate for placing an emphasis on the health and wellbeing of staff.

ACT specialist schools are staffed by talented and dedicated teachers, school leaders and learning support assistants (LSA's) who are attempting to navigate a disability system which is still undergoing development with a level of implementation that was not anticipated or understood. The AEU welcomes the inquiry and the commitment of the ACT Government to place an emphasis on continual improvement of NDIS implementation by recognising the impacts and working towards a system which is robust and beneficial to all Canberrans.

Recommendation 1

That the ACT Government provides resourcing for all specialist schools to have a full-time staff member and all mainstream schools to have a pro-rata staff member, to assist parents, students and families in navigating and accessing relevant and beneficial information and forums, as well as onsite planning and advocacy support regarding access and implementation of the NDIS.

Reducing workload and providing appropriate expertise for NDIS support in schools

The AEU believes that the best way to reduce the increased workload on teachers at specialist schools and mainstream schools resulting from the implementation of NDIS is to resource specialist schools with a full-time staff member and mainstream schools with a pro-rata staff member to take on these duties.

In the AEU's opinion the staff members appointed to the specialist schools and mainstream schools should be able to navigate the NDIS system and stakeholders to effectively manage students experience through the NDIS system and ensure that the student has an independent advocate.

In the AEU's view, even with implementation of this recommendation the following recommendations from the AEU are still required as the staff members resourced from recommendation one can be utilised to co-ordinate and liaise as required.

Recommendation 2

The ACT Government in conjunction with NDIS organise and run information sessions for parents and teachers at times they are available, so they can better understand how to navigate the complex NDIS system.

Recommendation 3

The ACT Government in conjunction with NDIS organise and run an NDIS fair of service providers for parents and teachers at times suitable to them to provide better knowledge of the service providers available in the ACT NDIS system and the service they provide.

Teacher run information sessions

Following discussions with staff at the frontline of NDIS implementation in specialist schools, the AEU has concerns regarding the readiness of schools and parents to navigate the NDIS system.

These recommendations if taken up should be implemented in consultation with parent/carers and educators to ensure the needs of parents/carers and educators are being met.

Providers and NDIS should be providing practical, concrete and specific advice and provide examples of forms with suggested supports. When NDIS plans were put into place educators had no examples to work with and were unable to assist parents/carers who sought advice about what they should put into plans.

ACT was a NDIS trial site and school leaders in specialist schools report that the concern around transport ending unless a move to NDIS was facilitated led families of students attending these specialist schools to expedite moving on to the NDIS. The issue of lack of understanding the system soon became apparent for both teaching staff and parents.

Prior to NDIS, educators advised that parents would receive support from a small number of services which catered for all of the needs of the student after NDIS implementation students may need to access a variety of providers to access the services they need, as well as the NDIS itself.

Specialist school teachers and leaders were receiving questions regarding the process of accessing NDIS and the providers of care. Specialist school leaders indicated that they were initially unsure of who provided support and in what areas and how the NDIS operated to assist this families.

This resulted in a need for information sessions to be run. The specialist school leaders coordinated to ensure information sessions were run at times convenient to parents and teachers in order for them to learn about the NDIS system. This placed added workload and longer attendance hours on the specialist teacher's workload, as schools and the community were left to navigate the system without sufficient information support from NDIS or the ACT Government.

Recommendation 4

The ACT Government provides a service to families which facilitates navigation of the Personal Futures Action Plan.

Individual Learning Plans and the burden on schools

It has been reported to the AEU that when families self-manage their NDIS support one of the major challenges that arises is determining Individual Learning Plans (ILP's). This planning has been reported to the AEU as essential to the NDIS implementation process as the needs of the student will be met depending on the NDIS support available.

The plan is broken up into five broad sections: vocational outcomes, educational outcomes, transport and mobility, financial, recreation and community, and advocacy and legal. In the past when developing ILP's the school in consultation with parents/carers would put in the necessary supports to help the student achieve the goal. For instance, if one of the goals is for the student to go on work experience it may be necessary for that student to have a support worker attend the work experience with them. It has been reported to the AEU that in the past schools have taken up the task of organising the support to assist students to achieve their goals in line with the requirements of the ILP.

Under NDIS the support worker for a student on work experience may be provided through NDIS. This causes additional workload both in and out of core school hours as it requires significant organisation with several stakeholders. Workload is already a significant stressor for educational professionals working with students who have NDIS support.

Recommendation 5

That the ACT Government in conjunction with NDIS maintain an up to date register of all NDIS service providers operating in the ACT.

Recommendation 6

The ACT Government in conjunction with NDIS and the Local Area Co-Ordinations Service (Feros Care) provide detailed Terms of Reference and FAQ documents regarding the roles and responsibilities of Local Area Co-ordinators (LAC), to allow parents, students and teachers to better understand the strengths and limitations of the LAC model.

Are providers good or not?

Through discussion with specialist teachers, the AEU has learned that parents who are navigating the NDIS system find it very difficult to know which providers are good and which are not.

It has been reported to the AEU that providers are becoming more specific in their support offerings and this has led to a vacuum of support in respite areas, for example. Parents and teachers assisting parents and students in the NDIS journey are not aware of the services different providers can offer clients.

This was evident in a NSW based company entering the ACT market during the trial period and not even having an office in the region and no immediate plans for one. This led to a situation where parents were unaware of the level of support and service this provider could provide in practical terms.

This uncertainty causes stress and anxiety to parents and students accessing the system and in turn places pressure and workload on to schools and teachers to assist in the navigation of appropriate services. Educators have been asked to provide recommendations for providers that would best support the needs of the students by parents or carers that have been provided with the information from other sources.

Educators have expressed concern that some service providers pick and choose the clients that they will support. There is a perception that providers prefer to support clients who require medium support rather than high support. If this perception is realised, then the impact would be that NDIS works well for clients requiring medium support rather than those that require high levels of support.

It was reported that families who are able to navigate the NDIS system and advocate for their children received better support than families who relied on private providers to implement the LAC.

This points to the possibility of students being discriminated against either due to their family's capacity to implement their plans or the service provider being available to provide the support for the student.

Recommendation 7

The ACT Government and NDIS provide practical and evidence-based support and information to parents, students and teachers in how to navigate a review meeting, including what NDIS is reviewing and how they intend to undertake the review.

Recommendation 8

The ACT Government and NDIS provide specialist schools and teachers with clear information regarding what documentation from school level assists families in review meetings, to allow teachers to ensure efficient and productive practical review support for families.

Review meeting navigation

Specialist School Leaders have informed the AEU that one of the most time-consuming implementation concerns for parents/carers relates to navigation of the NDIS review meeting.

Parents and families report that they are not aware of how to gain the best outcomes when attending review meetings with NDIS. Specialist School Leaders and teachers report that in some instances parents and families are not aware of the process or requirements of a NDIS review meeting.

The level of support appears to many families to be linked to how well they can understand the process and the review requirements and how well they are able to use them to their advantage. However, if they have limited understanding of the process then families report that they often end up with less efficient outcomes post review meetings.

Families are asking teachers to write letters of support to assist families in the review process by attempting to strengthen their position. This adds workload to teachers operating in the specialist school space. Teachers are unsure of the impact if any that this letter writing has on review meetings. Families and teachers need clear guidance and transparency around the review meeting and how to use this to provide benefit to the NDIS support. This assistance and support is currently being undertaken in schools by teachers, which adds to workload and workplace stressors.

Recommendation 9

The ACT Government and NDIS provide a model and a guide on how School Leaver Employment Supports (SLES) are completed to ensure more accurate recording of information to allow better outcomes post schooling.

SLES Structural style: workload and accurate information

The current SLES forms contain approximately 20 to 30 questions of a structural nature. Teachers and specialist school leaders attempting to complete these forms are unable to complete large portions due to the nature of the questions asked and the lack of required knowledge. The SLES process is extensive and time consuming. Parents, students and families often require assistance from teachers and schools to complete the questionnaire, however schools need assistance from parents and students to complete. This requires logistics to be arranged by the school and teachers in most cases. This leads to increased workload and a sense that there is a lack of understanding for who, how and when the SLES is undertaken.

Case Studies

- 1. A parent identified that their child required significant speech pathology support. The parent then advocated to have extensive hours allocated to speech pathology in their child's NDIS plan (this took a lot of negotiating and supplying of evidence to the NDIS for this to occur, and some of this evidence was school documentation such as ILP's and other documents). This resulted in the students being able to have 2 individual sessions per week with a private speech pathologist during school hours, at the school. This required the staff to set up the appropriate times, locations and resources for these sessions at school. Staff then continue to liaise with the speech pathologist to implement the strategies in the student's educational program. Even when these appointments are cancelled, as from time to time occurs, the workload issue persists for school staff.*
- 2. A participant's NDIS plan was reviewed without parental knowledge, consent or involvement via a ten-minute phone call in late January 2018. Instead of School Leavers Employment Supplement (SLES) Funding being added, the plan has been cut. The parents are now appealing this review and hope to either have, the old plan reinstated, or a full face to face review (as we have always done previously). Staff, who spent a significant amount of time completing the SLES application in 2017, have then been requested to supply this assessment to the parent. Staff are continually confused about the benefits of SLES and what it means for students yet are being asked to do the assessment for Yr 12 students, which takes a considerable amount of time. Staff host various parental information sessions about NDIS, and post-school options, yet are trying to work out the best information to give to parents.*

Conclusion

The AEU would welcome the opportunity to provide further feedback to the Inquiry and to provide any clarification on any of the recommendations contained in this submission.